

THE WATERGATE BREAK-IN COULD HAVE BEEN STOPPED IF ELLSBERG TELLS INSIDE STORY

by John Bryan

Ell Krogh sat in a plush San Francisco Financial District office the day I met him for this exclusive Bar interview. He seemed "normal" enough, a 36-year-old sales executive for a large retail firm (Swensen Ice Cream Co.). An energetic, tall, dark-haired guy with the manners and style of a practiced politician. He seemed destined for bigger things.

It was hard to believe that only three years before, he'd been sent off to jail for staging the First Act of the Watergate Follies, a bungled burglary which revealed Krogh (then Undersecretary of Transportation) and the youngest man in history to hold such high Cabinet authority as the "chief" of the infamous White House Plumbers Unit.

It was that September 3, 1971 break-in at the office of Daniel Ellsberg's psychiatrist in Los Angeles which led straight to Watergate, tainted Howard Hunt and G. Gordon Liddy for the burglary of Demo-

cratic Headquarters in Washington, D.C. just nine months later, set the tone and tempo which could only lead to the eventual disintegration of the Nixon administration.

"Even when the affair became public on April 27, 1973 during Ellsberg's trial for 'stealing' national security documents (the Pentagon Papers), few of us realized that the bottom had just fallen out of Nixon."

Today, a great many thoughtful observers (including Egil Krogh and Harrison Salisbury of the New York Times) can see it for the crucial turning point that it was, an event which (says Salisbury) "wrenched" cataclysmic events into a new course, not only the war but relations between the government and the people, the press and the establishment."

As Krogh puts it:

"The Plumbers in 1971 were more serious than the Watergate activity in 1972 which involved the Committee to Reelect the President. I was an official of the U.S. government and I was sworn to uphold the Constitution. I'm concerned about the government itself violating the law and doing it under whatever justification they want to — whether it's 'national security' or 'emergency doctrine' or whatever..."

"The justification that we made for doing it was national security. Some distortion, some amorphous doctrine which you can believe strongly in and use to justify practically anything."

"And to me — and I spent more time thinking about that — it's the most dangerous thing that can happen in a government. Where you're able to defend conduct whether it's breaking and entering or wiretapping or mail covers or assassination..."

"I don't care who the target is. I mean, you just come to the point after awhile where it becomes a very personal question. What kind of a country do you want to live in? Do you want to live in a country where somebody could enter my office today and take my files because some fool in Washington defines it as 'national security'? That's not my country. I don't care what anybody else says. And I'm fully responsible."

"I couldn't have stopped it and I didn't..."

"I'm persuaded that if one thing had been stopped in 1971 when the Ellsberg psychiatrist break-in was being planned in that period in August when all those things were happening, it would have stopped everything. There would have been no Watergate. There would have been no nothing. Nothing like that. An entirely different administration would be in power today..."

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Egil Krogh spent four months and 17 days in jail (and two years on probation) for being Chief Plumber. He lost his license to practice law (which he's trying to get back) and his family. (His wife's taken their two kids back to Seattle where Krogh lived in 1969, the year his old buddy John Edlichman called him to the White House as his chief aide, a position of great power.)

"But Krogh has changed his opinions about a lot of things in recent years... He would have voted for Jimmy Carter in the last election rather than for Nixon's henchman, Gerald Ford. (But as an ex-con he no longer has the franchise.) He's changed his attitudes towards law-breaking and society."

But he's never flied on Nixon or any of his other old White House associates. He'd like to get back into politics someday and he's fascinated with the study of public administration. (He's now teaching a course on that subject at Golden Gate University.)

"I thought it was time for a few straight questions. 'Was Nixon a tyrant or a fool?'" asked.

"I'm not sure he was either," Krogh replied. "I think he was a person that was badly served, that he was not given information that he was entitled to have from his immediate staff and not given that information because it would clearly incriminate that immediate staff. And if he knew some things in June of 1972 that he found out about in March of 1973, he'd still be President today..."

"I think that there were a lot of errors in judgement in the way the staff was put together. First of all, I think that there were too many of us who were too young and too inexperienced to be there... Nixon was a hand-driving person who wanted results. As one said by one of the staff people, we ran a zero-margin-error operation which is ridiculous. There are none. And to put that kind of pressure on staff people at times was almost to doom it to failure. I mean, you just can't operate in that kind of environment."

"I think the basic mistakes were ever perceiving the Pentagon Papers were a national security threat in the first instance. Secondly, ever creating an operational unit in the White House. Thirdly, assigning people to an operational unit that had no experience in law enforcement themselves and then putting them in charge and expecting them to come up with some results."

"You put two people in charge — David Young and Bud Krogh — who are basically inexperienced young people who are doing other things in government... You bring in two former agents — Hunt from the CIA and Liddy from the FBI — who are basically zealots, who have not, let's say, got the kind of restraint that you should have in that kind of environment, who are given the impression that it's a matter of the highest national importance by a President..."

(Krogh remembers Liddy as a "brilliant person" who was an extreme rightist, a kind of political warrior, a "samurai" like Japanese Lieutenant Colonel who fought World War II for an extra 29 years before coming out of the jungle. Hunt — who'd cranked out 30 spy novels and had both jobs in the OSS and CIA, "lived in a world of fiction... it wasn't a real world.")

"You had a war still going on in 1971 where negotiations are not necessarily going favorably to the President's side. The urgency is stronger. You put all that in one spot and you reach a critical mass. Very critical mass. I mean an error of judgement of enormous proportions... made from which we're still recovering..."

Despite the strongly political drift of his conversation, the reason Fred originally

Exclusive Interview With Nixon's Chief Plumber



Former-Undersecretary of Transportation Egil Krogh is now a sales executive for Swensen's Ice Cream Company in San Francisco.

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come to talk to Krogh was not Nixon but marijuana. Krogh had once assisted in the creation of Operation Intercept which brought a full-scale anti-smuggling blitz to the Mexican-American border early in 1969.

Krogh neither smokes nor drinks and is regarded as a "straight arrow" and strong Christian Scientist. A marijuana cigarette has never sullied his lips, but he's tolerant toward friends who do turn on.

In the service of Richard Nixon he took a strong position against marijuana no matter what his personal feelings and he served as liaison between the White House and Justice Department all through Intercept. In those days, the staff was "killer weed" and "savage of the devil" — no matter what the facts.

But late in 1970, Krogh and John Ehrlichman testified before a special Senate committee and urged the federal government to get out of the business of busting pot heads (except at border crossings).

Grass, they said, was not adding, not a law enforcement problem. It should be made a matter of local option.

I wondered whether this radical shift in public position was the direct result of going time in jail alongside men who'd gone there because of "crusades" like Operation Intercept. But Krogh said that his prison experience was not the main factor.

He realized that "lumping together" marijuana, peyote and hard narcotics was stupid even back in 1969 and said that he helped turn the administration position around to a more sensible approach by 1970. He noted that most of his own generation — including many friends in the Washington State law school he attended just before going to the White House — smoked dope regularly.

"To bust guys that I've gone to school with didn't make a lot of sense," said Krogh.

I asked if many White House staffers used marijuana when he was there.

"No," Krogh replied. "I must say that very few people that I know were doing it. They act like it sometimes..."

I wondered if it was dangerous for a former Nixon official like Krogh to serve his sentence along with the general prison population. Did convict attack him when they found out he'd once worked on the side of the prosecution?

"It had no trouble," he said. "It was minor in many ways. I made a lot of good friends. I still stay in touch with many of them. I'm not vouching either for their honesty or their reformation since they've gotten out... I accept them because they're my friends and I don't care what they've done or what they're doing today."

"It's a whole different kind of relationship once you're behind bars. I met many people that reached out to help me that I didn't expect... I met this one guy in jail — the first week I was there — and he said, 'You know, I don't understand why you didn't really come to somebody like me if you wanted a burglary done. I've had 400 or 500 entries over the last ten years. I'm a professional burglar,' he said. 'I really know how I'm doing. I really could have helped you a lot.'"

"And I said, 'Well, I can't tell you how much I regret not having come to somebody who knew what they were doing.'"

I suggested that some of this sudden jailhouse camaraderie might have come about because the convicts learned that Krogh — the first White House sacrifice to growing public indignation over Watergate — remained loyal to his powerful friends and had refused to testify against them.

"In fact," he said, "the first day I was in somebody explained what a switch was and how I wasn't one... It's a difference in trust and a difference in how you're viewed. As a professional matter, I don't understand why prosecutors have to try to

offer deals to defendants and give them immunity... As a personal matter, I won't accept it. I'm not going to accept it because I don't believe in it..."

So much for his famous "stonewalling." I asked if the jail experience really changed Krogh — his politics, social attitudes, ideas on legality and justice.

"It's true," he admitted. "You see life differently from behind bars... It's a clearer application of why so many people are driven into violation of the law... It's more of an accident of birth and location and race than, let's say, talent, education or other things... And you don't judge people nearly as harshly now as you know as much about them as possible..."

Now that most of the details of Watergate are generally known and Nixon has resigned, does Krogh feel that his silence and the resulting prison term constituted a needless sacrifice? Was he made into a scapegoat for Nixon during those first anguished days when the ex-President was trying to shift all blame from his own sloping shoulders onto some of his hapless subordinates?

"No," said Krogh firmly. "I wasn't a scapegoat. I didn't take the rap, as you put it... I violated the law. I was responsible..."

Would he have played the game differently had he known the final outcome?

"Well, obviously yes," he replied. "I think that I would not assume that had the authority or the President had the authority to carry out anything of an unfavorable nature in the interests of national security. I would give him the advantage of making the decisions. I wouldn't make certain calls myself..."

Krogh had refused to strongly criticize his former boss — even now.

"I don't think Nixon ever going to perceive the legal issue," he said thoughtfully. "I think that's too bad. He has admitted responsibility — that he made a mistake. It's a very simple thing to some and it isn't to others. But it's being able to see whether or not you violated U.S. Code, Relevant Section... So many people put overlays of moral, immoral, right, wrong, good, bad onto it. And that might be important for your soul. For your personality. But it's absolutely idiotic that you tie the legal issue. That's what keeps a society together..."

Krogh continues to think and talk like the lawyer he was trained to be. But soon you discover that he does have gut feelings on personal as well as legal issues regarding the burglary at the office of Daniel Ellsberg's psychiatrist.

He's tried to make statement — first of

all by personally conveying his apologies to Ellsberg himself. (He and Krogh are both currently residents of the posh San Francisco suburb of Mill Valley.) He's also told Dr. Fielding that he's sorry.

I asked what the apologetic meeting with Ellsberg was like.

"Hi. Hello. Gee, I always wanted to meet you. That sort of thing," Krogh recalled. "Like, 'Boy, we should have had this conversation a long time ago.'"

Did Ellsberg and the psychiatrist Fielding "bepine" Krogh for the burglary he supervised and which Liddy and Hunt carried out?

"I'm not sure forgiveness is the word," said Krogh with evident uneasiness. "I think that there's understanding as to what happened. I mean, you go and say, 'I'm sorry it happened. Here's why it happened. I want to tell you personally.'"

"And the fact that you payed the legal price — that's one thing. But there's a personal responsibility on top of that..."

"I'm not sure a person like that should necessarily forgive..."

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